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222 EAST 41ST ST				
NEW YORK, NY 10017				
EXAMINER				
DENTER, CLARK F				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/598,827

Applicant(s)

PSIMADAS ET AL.

Examiner

Clark F. Dexter

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16, 17, 19, 31 and 33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16, 17, 19, 31 and 33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The amendment filed on July 16, 2009 has been entered.

Claim Rejections - 35 USC § 112, 1st paragraph

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 31 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The original disclosure does not provide support for the combination of a "means for locking ..." and a "locking means" as now set forth in the last three paragraphs of claim 31.

Claim Rejections - 35 USC § 112, 2nd paragraph

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 31 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 31, line 15, the recitation "locking means ..." is vague and indefinite as to what disclosed structure it refers, particularly in view of the recitation of "means for locking ..." in line 14.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 16, 17, 19, 31 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Publication 8-323067 (hereafter JP '067).

Regarding claims 16, 17 and 19, JP '067 discloses a razor with every structural limitation of the claimed invention including:

an elongated hollow handle (e.g., 1) having a longitudinal axis X, said handle having a front end and a back end opposite to the front end;

a first razor head (e.g., 5) and a second razor head (e.g., 6), both mounted on a support (e.g., 4) mounted in said handle and each head capable of being slideable in a direction substantially parallel to the axis X, between at least:

a first use position (e.g., see Fig. 4) in which said first razor head projects outward from the front end to allow shaving, while said second razor head is retracted in said handle, and

a second use position (e.g., see Fig. 5) in which said second razor head projects outward from the back end to allow shaving, while said first razor head is retracted in said handle; and

a manually operable actuator (e.g., 9, 11) mounted on the support for moving the support from the first use position to the second use position or from the second use position to the first use position; and

locking means (e.g., including 13 (i.e., the locking portion of 9, 11) and the right or left occurrence of 14 as viewed in Fig. 8) for locking the support in the first or second use position, said locking means being at least partly provided on the manually operable actuator,

wherein the manually operable actuator comprises a pusher (e.g., 9, 11, see Fig. 9) movable between a locking position in which the manually operable actuator cannot be moved and an unlocking position in which the manually operable actuator can be moved;

[claim 17] wherein the support is capable of occupying a third or intermediate position (e.g., see Fig. 3) in which both razor heads are retracted in said handle;

[claim 19 (from 17)] wherein the locking means are further provided for locking the support in the intermediate position (e.g., including middle occurrence of 14 as viewed in Fig. 8);

Regarding claim 31, JP '067 discloses a razor with every structural limitation of the claimed invention including:

an elongated hollow handle (e.g., 1) having a longitudinal axis X, said handle having a front end and a back end opposite to the front end;

a first razor head (e.g., 5) and a second razor head (e.g., 6), both mounted on a support mounted in said handle and each head capable of being slideable in a direction substantially parallel to the axis X, between at least:

a first use position (e.g., see Fig. 4) in which said first razor head projects outward from the front end to allow shaving, while said second razor head is retracted in said handle, and

a second use position (e.g., see Fig. 5) in which said second razor head projects outward from the back end to allow shaving, while said first razor head is retracted in said handle;

a manually operable actuator (e.g., 9, 11) mounted on the support for moving the support from the first use position to the second use position or from the second use position to the first use position; and

means (e.g., including the right or left occurrence of 14 as viewed in Fig. 8) for locking the support in the first or second use position, and

locking means (e.g., including 13 (i.e., the locking portion of 9, 11) for locking the support in the first or second use position, said locking means being at least partly provided on the manually operable actuator,

wherein the manually operable actuator comprises a pusher (e.g., 9, 11, see Fig. 9) movable between a locking position in which the manually operable actuator cannot be moved and an unlocking position in which the manually operable actuator can be moved.

Regarding claim 33, JP '067 discloses a razor with every structural limitation of the claimed invention including:

an elongated hollow handle (e.g., 1) having a longitudinal axis X, said handle having a front end and a back end opposite to the front end;

a first razor head (e.g., 5) and a second razor head (e.g., 6), both mounted on a support (e.g., 4) mounted in said handle and each head capable of being slideable in a direction substantially parallel to the axis X, between at least:

a first use position in which said first razor head projects outward from the front end to allow shaving, while said second razor head is retracted in said handle, and

a second use position in which said second razor head projects outward from the back end to allow shaving, while said first razor head is retracted in said handle; and

a manually operable actuator (e.g., 9, 11, and the projecting portion of 4 as viewed in Figs. 9, 10) mounted on the support for moving the support from the first use position to the second use position or from the second use position to the first use position, and

locking means (e.g., including 13 (i.e., the locking portion of 9, 11) and the right or left occurrence of 14 as viewed in Fig. 8) for locking the support in the first or second use position, said locking means being at least partly provided on the manually operable actuator,

wherein the manually operable actuator comprises a hollow body (e.g., the projecting portion of 4 as viewed in Figs. 9, 10) and a pusher (e.g., 9, 11, see Figs. 9, 10) slideable with respect to the hollow body between a locking position in which the manually operable actuator cannot be moved and an unlocking position in which the manually operable actuator can be moved.

Response to Arguments

8. Applicant's arguments filed July 16, 2009 have been fully considered but they are not persuasive. It is respectfully submitted that, contrary to applicant's arguments, the prior art discloses all of the claimed structure as described in further detail in the prior art rejection(s) above.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark F. Dexter whose telephone number is (571)272-4505. The examiner can normally be reached on Mondays, Tuesdays, Thursdays and Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on (571)272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/Clark F. Dexter/
Primary Examiner, Art Unit 3724**

cfd
November 9, 2009